

FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN

APPELLATE DIVISION

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CLEMENT MAGRAS, individually and	)	
in his capacity as COMMISSIONER OF	)	
THE DEPARTMENT OF LICENSING AND	)	
CONSUMER AFFAIRS,	)	
	)	D.C. CIV. APP. NO. 94-11
Appellant/Respondent,	)	
	)	
v.	)	
	)	
ALAN D. SMITH, KATHLEEN MACKAY,	)	Re: T.C. CIV. NO. 167-1993
ADAM G. CHRISTIAN and BARBARA	)	
WEATHERLY,	)	
	)	
Appellees/Petitioners,	)	
	)	
DE VOS & CO., and the VIRGIN	)	
ISLANDS BAR ASSOCIATION,	)	
	)	
Nominal Appellees/Intervenors	)	
_____	)	

On Appeal from the Territorial Court of the Virgin Islands

Argued: April 12, 1995  
Filed: September 16, 1996

**BEFORE:** **THOMAS K. MOORE**, Chief Judge, District Court of the Virgin Islands; **RAYMOND L. FINCH**, Judge of the District Court of the Virgin Islands; and **PATRICIA D. STEELE**, Judge of the Territorial Court of the Virgin Islands, Division of St. Croix, Sitting by Designation.

**APPEARANCES:**

Pamela Lynn Wood, Esq., Asst. Atty. General  
V.I. Department of Justice  
St. Thomas, V.I.  
*Attorney for Appellant*

Denise Francois, Esq.  
St. Thomas, U.S.V.I.  
*Attorney For Appellees*

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**ORDER OF THE COURT**

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PER CURIAM

**AND NOW**, this 16th day of August, 1996, after careful review of the record and having considered the submissions and arguments of the parties; and for the reasons set forth in the Court's accompanying Opinion of even date;

**IT IS ORDERED AND ADJUDGED** that the order of the Territorial Court dated December 17, 1993 is **AFFIRMED**.

**A T T E S T:**

ORINN F. ARNOLD  
Clerk of the Court

BY: \_\_\_\_\_  
Deputy Clerk

Copies to: (with copy of Opinion)  
Appellate Judges and Publishers  
Pamela Lynn Wood, Esq., c/o Federal Public Defender  
Julio Brady and Paul Gimenez, V.I. Department of Justice  
Denise Francois, Esq. and Kathleen MacKay, Esq., c/o  
Hodge & Francois  
DeVos & Co.  
V.I. Bar Association  
Honorable Ishmael Meyers, Territorial Court  
L. Gilmore, Esq.  
Magistrate-Judge G.W. Barnard  
Magistrate-Judge J.L. Resnick  
Ms. McFarlande